

REMARKS

Reconsideration of this application is respectfully requested.

In the Official Action, the Examiner objects to claims 1-5 because "an historical" in claim 1 should be --a historical--. In response, claim 1 has been amended as suggested by the Examiner. Accordingly, it is respectfully requested that the objection to claims 1-5 be withdrawn.

In the Official Action, the Examiner has withdrawn the previous rejections of the claims under 35 U.S.C. § 102(e) in favor of rejections under 35 U.S.C. § 103(a). Specifically, the Examiner now rejects claims 1-4 and 6-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,006,227 to Freeman et al., (hereinafter "Freeman") in view of U.S. Patent No. 6,016,478 to Zhang et al., (hereinafter "Zhang"). Additionally, the Examiner rejects claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Freeman and Zhang and further in view of U.S. Patent No. 5,977,968 to LeBlanc (hereinafter "LeBlanc"). Lastly, the Examiner rejects claims 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Freeman and LeBlanc and further in view of U.S. Patent No. 6,460,036 to Herz et al. (hereinafter "Herz").

In response, Applicants respectfully traverse the Examiner's rejections under 35 U.S.C. §§ 102(e) and 103(a) for at least the reasons set forth below.

With regard to claim 1, the Examiner now argues that Freeman discloses all of the features of the claim with the exception of:

prompting a user, by a calendar/diary application, to
enter data relating to said event for incorporation in a historical
record of events pertaining to a user;
accepting user input responsive to said step of
prompting;

adding a record to a database defining said historical record including at least one of data resulting from said step of classifying and data resulting from said step of accepting.

The Examiner cites Zhang as teaching the deficiencies in Freeman. Applicants respectfully disagree and submit that the Examiner has engaged in a rather fanciful interpretation of both Freeman and Zhang.

Freeman merely discloses organizing documents into a stream of documents that are sorted by date. Freeman does not classify one of audio, video, and text inputs into a computer. Freeman merely sorts documents (e.g., files) (which can include audio, video, or text documents) and organizes the same in a single stream of documents. Freeman also does not generate an indicator of an event responsively to the classification. Freeman merely organizes the documents chronologically, which is not an event responsive to the classification. Furthermore, even if the "time indicator" could be considered an event, it is related to the document application itself. Claim 1 recites that the event is unrelated to the calendar/diary application. As an example, claims 3 and 4 recite that the event is writing an e-mail letter and writing a letter on a text application (other than the calendar/dairy application), respectively. Thus, Freeman also does not disclose an event unrelated to the calendar/diary application.

Zhang discloses scheduling software where a user can schedule an event and send a communication to invitees of the event. The invitees can then respond to the invitation and the system collects the responses for the user. This is totally irrelevant to the invention as recited in claim 1. The Examiner equates the event of Zhang with the event recited in claim 1. As discussed above, claim 1 recites generating an indicator of an event responsively to a classification of inputs into a computer where the event is unrelated to the calendar/dairy

application. In Zhang, a user schedules an actual event (such as a meeting) and merely sends out invitations and receives responses through the scheduling software. Furthermore, in the system of Zhang, the user is not prompted to enter data relating to the event, the user him or herself indicates the event and enters data relating to the event.

Therefore, for at least the reasons set forth above with regard to claim 1, Applicants respectfully submit that claim 1 patentably distinguishes over the combination of Freeman and Zhang and is allowable. Although dependent claims 2-4 patentably distinguish over the cited references independently of claim 1, Applicants respectfully submit that claims 2-4 are at least allowable therewith as depending from an allowable base claim.

With regard to claim 6, the Examiner argues that Freeman discloses all of the features of claim 6 with the exception of:

prompting a user for greater detail in an event
defined by said record;
automatically generating a diary record responsive
to a result of said steps of accepting and prompting.

The Examiner cites Zhang to as teaching the deficiencies in Freeman.
Applicants again respectfully disagree.

Firstly, Freeman does not teach or suggest accepting data towards the making of a new record in a calendar application. Freeman merely discloses reorganizing documents into a new stream or substream of documents.

Secondly, Zhang contains no disclosure of prompting a user for greater detail in an event defined by said record. Zhang discloses the user selecting an Internet/Scheduling wizard icon from a menu that launches pages where the user can enter information regarding an event. Furthermore, Zhang does not teach "automatically generating a diary record responsive to a result of said steps of accepting and prompting". Zhang discloses putting the

event on the user's calendar when the user is ready to schedule the event. Thus, the update of the user's calendar is not automatic upon the prompting but upon the scheduling of the event.

Therefore, for at least the reasons set forth above with regard to claim 6, Applicants respectfully submit that claim 6 patentably distinguishes over the combination of Freeman and Zhang and is allowable. Although dependent claims 7-9 patentably distinguish over the cited references independently of claim 6, Applicants respectfully submit that claims 7-9 are at least allowable therewith as depending from an allowable base claim.

With regard to claim 10, the Examiner argues that Freeman discloses, "detecting one of a passage of time since an entry of a record into a diary database and a time of day." Applicants again respectfully disagree. Freeman merely discloses chronological indicators to indicate time, the chronological indicators do not detect "one of a passage of time since an entry of a record into a diary database and a time of day." The chronological indicators are merely used to arrange the documents chronologically. Also as discussed above, Zhang is not concerned with entering and generating diary records. Furthermore, Zhang contains no disclosure of "prompting a user to enter a diary entry responsively to said step of detecting." As discussed above, Zhang merely allows a user to enter event information into a page in response to a user's indication of scheduling an event. Zhang does not prompt a user to enter a dairy entry responsive to a detection of a passage of time. Thus, both Freeman and Zhang contain absolutely no disclosure or suggestion of at least the detecting and prompting steps of claim 10.

Therefore, for at least the reasons set forth above with regard to claim 10, Applicants respectfully submit that claim 10 patentably distinguishes over the combination of Freeman and Zhang and is allowable. Although dependent claims 11-13 patentably

distinguish over the cited references independently of claim 10, Applicants respectfully submit that claims 11-13 are at least allowable therewith as depending from an allowable base claim.

With regard to claim 14, firstly, the Examiner argues that Freeman discloses, accepting data descriptive of an appointment and/or an event for inclusion in a diary database. As discussed above, Zhang is not concerned with entering and generating diary records. Zhang accepts data units, which are documents to be organized, not data descriptive of an event or appointment for inclusion in a dairy database.

Furthermore, the Examiner argues that Zhang discloses "extracting current events or historical data from an external source" and "adding data resulting from said step of extracting to data resulting from said step of accepting to said diary database". Applicants again disagree. The portion of Zhang cited by the Examiner in support of his arguments in no way teach the extracting and adding steps recited in claim 10 and are totally irrelevant thereto. The cited portion of Zhang merely discloses a parser that extracts information from an incoming message. It certainly does not disclose extracting current events or historical data from an external source. Zhang also discloses appending certain information to a message. However, such information is not current events or historical data from an external source.

Therefore, for at least the reasons set forth above with regard to claim 14, Applicants respectfully submit that claim 14 patentably distinguishes over the combination of Freeman and Zhang and is allowable. Although dependent claims 15 and 16 patentably distinguish over the cited references independently of claim 14, Applicants respectfully submit that claims 15 and 16 are at least allowable therewith as depending from an allowable base claim.

With regard to claims 17 and 18, as discussed previously, Freeman is not concerned with accepting user input to be recording in a dairy database. Although, LeBlanc discloses a computer system for sensing and classifying moods of user's, there is absolutely no suggestion or motivation in either Freeman or LeBlanc to use such a system in connection with a diary database. The Examiner argues that Herz generates an index responding to the step of sensing. Applicants respectfully disagree. Herz merely describes the evaluation of the likelihood of interest in a particular target object for a user (see column 18 line 49 to column 20, line 55). The evaluation is made by building a user profile based on the user's interests. Thus, Herz contains absolutely no disclosure or suggestion of sensing as is recited in claim 17 and certainly does not generate an index responsive to the sensing. The Examiner also argues that Herz adds the index and the user input to the diary database. Applicants respectfully submit that Herz is not directed to a diary database and neither suggests one.

With regard to the rejection of claims 1-4 and 6-16 under 35 U.S.C. § 103(a), methods having at least the features discussed above and as recited in independent claims 1, 6, 10, and 14, are nowhere disclosed or suggested in Freeman and/or Zhang. Accordingly, independent claims 1, 6, 10, and 14 patentably distinguish over the combination of Freeman and Zhang and are allowable. Claims 2-4, 7-9, 11-13, 15, and 16 being dependent upon claims 1, 6, 10, and 14, are thus allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-4 and 6-16 under 35 U.S.C. § 103(a).

With regard to the rejection of claims 17 and 18 under 35 U.S.C. § 103(a), the features discussed above and recited in independent claims 17 and 18, are nowhere disclosed or suggested in Freeman, LeBlanc and/or Herz. Accordingly, independent claims 17 and 18

patentably distinguish over the combination of Freeman, LeBlanc, and Herz and are allowable. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 17 and 18 under 35 U.S.C. § 103(a).

With regard to the rejection of claim 5 under 35 U.S.C. § 103(a), since independent claim 1 patentably distinguishes over the prior art and are allowable, claim 5 is at least allowable therewith as depending from an allowable base claim.

In general, throughout the Official Action, the Examiner picks and chooses among the embodiments of Freeman and Zhang and combines them as if they are disclosed as a single embodiment. Applicants respectfully submit that such a practice is improper.

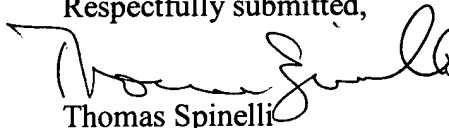
Furthermore, although the claims of the present application patentably distinguish over the cited references, Applicants further submit that there is no motivation for combining at least the Freeman and Zhang references at least because Zhang is not directed to accepting data towards making records in a calendar application but with organizing different types of documents. Thus, those skilled in the art would not be motivated or suggested to look to the scheduling system of Zhang for combination with Freeman, and vice versa. Therefore, Applicants respectfully submit that the combination of at least Freeman and Zhang is improper and must be withdrawn.

Lastly, Applicants also respectfully submit that there is no motivation for combining the Freeman with the Herz or LeBlanc references because Freeman neither discloses nor suggests the use of detection of a mood as an event and neither Herz nor LeBlanc are directed to a diary/calendar. Thus, since neither Freeman, Herz, nor Leblanc expressly discuss the objectives of the present invention nor present target events to the user

based upon the detection of an event, the Examiner could have only gleaned them from the present invention, which is improper as based on hindsight.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Spinelli", written over the printed name.

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